

REMARKS

The applicants would like to thank the Examiner for the courtesies extended during various phone conversations discussing the substance of the Office Action dated December 1, 2003, namely, the assertion that the newly presented claims were drawn to a non-elected claim group. During the phone conversations it was agreed that this determination was in error and that the newly submitted claims need not be subject to restriction. Accordingly, it is requested that the newly submitted claims be entered into the record of the subject application and examined accordingly.

In the application claims 44-52 remain pending, claims 1-34 having been withdrawn from consideration. The claims as added find their support in the specification and figures as originally filed and no new matter has been added (*See* Figs. 2, 3 and related text). The pending claims presently stand rejected. The reconsideration of the rejection of the claims is respectfully requested.

In the Office Action of July 31, 2003, previously pending claims 1-34 were rejected as being rendered obvious by Fields (U.S. Patent No. 6,338,059) in view of "EDI meets the Internet" and further in view of Noble (U.S. Patent No. 5,634,053). In rejecting the claims, the Office Action asserted that Fields discloses a centralized hosting server site (applicants clearinghouse) that is used to link one or more clients to one or more servers. It was further asserted in the Office Action that it is the centralized hosting server of Fields that performs the functions of "filtering, converting, [and] recasting data" that is retrieved from a search engine. Based upon this interpretation of Fields, the Office Action concluded that it would have been obvious to one of ordinary skill in the art to combine Fields, Noble, EDI, and "knowledge

generally available” to include translators at a clearinghouse site for converting data compliant with a merchant database format into data compliant with a partner’s database format.

In response, it is respectfully submitted that the cited references fail to render the now pending claims obvious. Specifically, it is submitted that the art of record cannot be said to disclose, teach, or suggest each and every element that is now recited in the claims as is required to maintain a rejection under 35 U.S.C. § 103. It is further submitted that the art of record also fails to provide any motivation to combine elements in a manner that could be said to render the claimed invention obvious under 35 U.S.C. § 103. In this regard, it is noted that, when combining elements, it is impermissible to pick and choose from a reference only so much as will support a given position while disregarding what a reference fairly teaches in its entirety. It is also impermissible to use the disclosure of the subject application as a template for the purpose of piecing together various elements of the prior art with the aim of demonstrating the obviousness of the claimed invention.

Turning first to Fields, it is respectfully submitted that Fields discloses no more than a system that functions *to filter* a conventional HTML Web page that is retrieved from a search engine. To this end, the retrieved Web page is provided to a pass through publisher 301 that retrieves filter definitions and policies from a filter database 309 whereupon the filter definitions are used to parse the retrieved Web page for desired components. The desired components are then recast into a new Web page by means of an HTML template 321 that matches the look and feel of the hosting Web site. Thus, as acknowledged in the Office Action, Fields teaches no more than a system wherein Web content is extracted from a content provider and then filtered at a central site prior to being transmitted to a client.

In contrast to the system disclosed in Fields, the claimed invention requires, among other things set forth in the dependent claims, forwarding from the clearinghouse site to the merchant site a first registration document that specifies a database format for use by the merchant site in transmitting product data to the clearinghouse site; receiving at the clearinghouse site product data extracted from the merchant database, the extracted product data having been placed by the merchant site into database fields that comply with the database format specified in the first registration document; storing the product data received from the merchant site in the clearinghouse database; receiving at the clearinghouse site a second registration document that specifies a database format for use by the clearinghouse site in transmitting product data to the partner site; and transmitting from the clearinghouse site to the partner site product data extracted from the clearinghouse database, the extracted product data having been placed by the clearinghouse site into database fields that comply with the database format specified in the second registration document whereby the product data is storable in the partner site database and thereafter made accessible for providing a consumer visiting the partner site with information concerning merchant site product offerings. These very specific claim elements cannot be said to be disclosed, taught, or suggested by Fields. It is further submitted that neither the EDI reference nor Noble can be said to disclose, teach, or suggest those elements that are now set forth in the independent and dependent claims.

It is additionally submitted that, even assuming that the EDI reference or Noble disclosed all of the claim elements that are clearly missing from Fields (which they do not), there would still be no motivation to modify Fields to arrive at the invention now set forth in claims. Notwithstanding the fact the Fields fails to disclose a system that functions to exchange database data between a merchant site and a partner site via a clearinghouse site, it is noted that, since the

Web page received by the centralized hosting server site is merely parsed by the centralized hosting server – to extract data (e.g., .gif, .html, .bmp, etc.) for placement into another standard Web page - and then discarded, there would exist no need or motivation to “format,” i.e., “recast,” the Web page prior to its receipt by the centralized hosting server, let alone a need or motivation for the centralized hosting server to send a registration document that specifies a format for a Web page that is to be merely retrieved, parsed, and then discarded. Therefore, for the simple reason that the “format” of the retrieved Web page of Fields is inconsequential to the overall operation of the Fields system, there would be no reason for one of ordinary skill in the art to modify the system of Fields to “format” a retrieved Web page (i.e., to make the Fields system more complex) to arrive at the claimed invention.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

While it is not believed that any fees are due, the Commissioner is authorized to charge any fee deficiency to deposit account number 50-2428.

Respectfully Submitted,

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